

REMARKS

This paper is in response to the Notice of Non-Compliant Appeal Brief dated December 8, 2008. In the Notice, the Office stated that the brief does not contain a correct copy of the appealed claims, and specifically that claim 10 depends from claim 9, which has been cancelled. In response, applicants have amended claim 10 herein to depend from claim 6. A Second Substitute Appeal Brief reflecting this change is also being filed simultaneously herewith in response to the Notice. Accordingly, applicants submit that the Brief is now in proper form for submission to the Board.

Applicants do not believe that any fee is due in connection with this amendment and the Second Substitute Appeal Brief being submitted concurrently herewith. However, if any fee is due, the Commissioner is hereby authorized to charge any required fees in connection with this amendment and Amended Appeal Brief to Deposit Account Number 01-2384.

Respectfully submitted,

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Via EFS